

**AN ORDINANCE 2006-06-29-0821**

**AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, SECTION 35-304, OFFICIAL ZONING MAP OF THE CITY CODE OF SAN ANTONIO, TEXAS BY CHANGING THE ZONING DISTRICT BOUNDARY OF CERTAIN PROPERTY.**

\* \* \* \* \*

**WHEREAS**, a public hearing was held regarding this amendment to the Official Zoning Map at which time parties in interest and citizens were given an opportunity to be heard; and

**WHEREAS**, the Zoning Commission has submitted a final report to the City Council regarding this amendment to the Official Zoning Map of the City of San Antonio; **NOW THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** Chapter 35, Unified Development Code, Section 35-304, Official Zoning Map, of the City Code of San Antonio, Texas is amended by changing the zoning district boundary of 46.18 acres out of NCB 14859 and NCB 34725 from "O-1 ERZD" Office Edwards Recharge Zone District, "O-2 ERZD" Office Edwards Recharge Zone District and "ED ERZD" Entertainment Edwards Recharge Zone District to "MPCD ERZD" Master Planned Community Edwards Recharge Zone District.

**SECTION 2.** A description of the property is attached as Exhibit "A" and made a part hereof and incorporated herein for all purposes.

**SECTION 3.** The City Council approves the Master Planned Community District so long as the attached site plan is adhered to. The site plan is attached as Exhibit "C" and made a part hereof and incorporated herein for all purposes.

**SECTION 4.** This change of zoning district boundary is conditioned on the requirement that the impervious cover on the property described by this ordinance shall not exceed 65%.

**SECTION 5.** The owner or owner's agent shall inform any person leasing this tract or any portion of this tract that storage of chemicals and/or hazardous materials is not permitted. Provisions prohibiting the storage of chemicals and/or hazardous materials shall be included in the lease agreement. The owner or owner's agent shall provide a copy of the of the lease provisions regarding the storage of chemicals and/or hazardous materials to the Aquifer Protection and Evaluation Section of the San Antonio Water System for approval. The Aquifer Protection and Evaluation Section of the San Antonio Water System may randomly inspect, without notice, any or all facilities on the site to ensure compliance with this ordinance.

**SECTION 6.** All water pollution abatement structures or features approved by the Texas Commission on Environmental Quality shall be properly maintained and kept free of trash and debris. A water quality maintenance plan and schedule agreement signed by the property owner must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. A water quality maintenance plan signed by the new owner must be submitted to the Resource Protection Division of SAWS.

**SECTION 7.** Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, the Texas Department of Agriculture, or the U.S. Department of Agriculture shall be used.

**SECTION 8.** All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

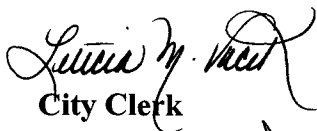
**SECTION 9.** The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

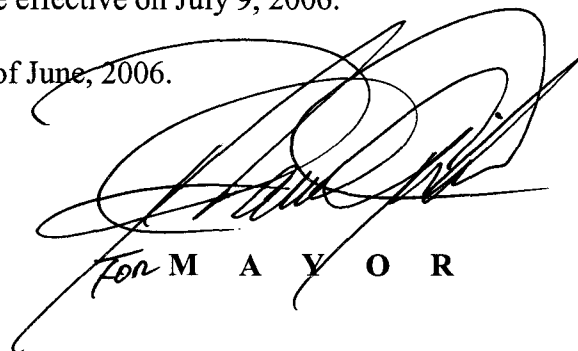
**SECTION 10.** If a court of competent jurisdiction enters a final judgment on the merits that is no longer subject to appeal and substantially limits or impairs the essential elements of sections one through five of this ordinance, then sections one through five are invalid and have no legal effect as of the date of entry of such judgment notwithstanding any other ordinance or provision of the City Code of San Antonio.

**SECTION 11.** This Ordinance shall become effective on July 9, 2006.

**PASSED AND APPROVED** this 29th day of June, 2006.

**ATTEST:**

  
City Clerk

  
For M A Y O R

**APPROVED AS TO FORM:**

  
For City Attorney

# Agenda voting Results

**Name:** Z 4

**Date:** 06/29/06

**Time:** 06:41:47 PM

**Vote Type:** Multiple selection

**Description:** ZONING CASE #Z2006098 (District 8): An Ordinance changing the zoning district boundary from "O-1 ERZD" Office Edwards Recharge Zone District, "O-2 ERZD" Office Edwards Recharge Zone District and "ED ERZD" Entertainment Edwards Recharge Zone District to "MPCD ERZD" Master Planned Community Edwards Recharge Zone District on 46.18 acres out of NCB 14859 and NCB 34725, 16000 Block of La Cantera Parkway as requested by Brown, P.C., Applicant, for Cantera-Parkway Development Partners of SA, LP, Owner(s). Staff and Zoning Commission recommend Approval.

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1	Not present	x		
SHEILA D. MCNEIL	DISTRICT 2				
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5			x	
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7			x	
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR PHIL HARDBERGER	MAYOR		x		

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**FIELD NOTES**

**FOR**

A 46.175 acre, or 2,011,389 square feet more or less, tract of land being comprised of a 1.201 acre tract, being all of a called 1.1998 acre tract, and a 44.975 acre tract being all of that called 44.98 acre tract, both conveyed in Special Warranty Deed to Talley-Ho Venture, Ltd recorded in Volume 11819, Pages 1848-1856 of the Official Public Records of Real Property of Bexar County, Texas, out of the Charles S. Seidenschnur Survey No. 410, Abstract 1222, County Block 4725 of Bexar County Texas, now in New City Blocks 14859 and 34725 of the City of San Antonio, Bexar County, Texas. Said 46.175 acre tract being more fully described as follows with bearings derived from the Texas Coordinate System for the South Central Zone:

**BEGINNING:** At a found ½" iron rod, on the west line of a 618.58 acre tract recorded in Volume 4735, Pages 911-918 of the Official Public Records of Real Property of Bexar County, Texas, the southeast corner of said 44.98 acre tract;

**THENCE:** S 89°00'49"W, along and with the south line of said 44.98 acre tract, a distance of 533.56 feet to a set ½" iron rod with yellow cap marked "Pape Dawson" at the northeast corner of said 1.1998 acre tract;

**THENCE:** Departing the south line of said 44.98 acre tract, along and with the east line of said 1.1998 acre tract the following calls and distances:

S 05°54'55"E, a distance of 58.85 feet to a found ½" iron rod;

Along the arc of a curve to the left, having a radius of 603.00 feet, a central angle of 16°49'20", a chord bearing and distance of S 14°19'35" E, a distance of a distance of 176.41 feet, for an arc distance of 177.04 feet to a set ½" iron rod with yellow cap marked "Pape Dawson";

S 22°44'16"E, a distance of 90.04 feet to a set ½" iron rod with yellow cap marked "Pape Dawson";

Along the arc of a curve to the left, having a radius of 25.00 feet, a central angle of 83°44'06", a chord bearing and distance of S 64°36'23" E, 33.37 feet, for an arc distance of 36.54 feet to a found ½" iron rod with yellow cap marked "Pape Dawson", on the north right-of-way line of La Cantera Parkway, an 86-foot wide right-of-way dedicated in Volume 9525, Pages 12-16 of the Deed and Plat Records of Bexar County, Texas;

**THENCE:** Along and with the north line of said La Cantera Parkway, along the arc of a curve to the left, said curve having a radial bearing of S 16°28'32" E, a distance of a radius of 1093.71 feet, a central angle of 9°44'44", a chord bearing and distance of S 68°39'06" W, 185.81 feet, for an arc distance of 186.03 feet to a set ½" iron

**EXHIBIT A**

To Ordinance No. \_\_\_\_\_

Passed on June 29, 2006

rod with yellow cap marked "Pape Dawson", at the southwest corner of said 1.1998 acre tract, the eastern most point of an 8.25 acre tract recorded in Volume 7531, Pages 1270-1280 of the Official Public Records of Real Property of Bexar County, Texas, now Lot 5, Block 1 of the La Cantera Unit 5 subdivision recorded in Volume 9545, Pages 2258-226 of the Deed and Plat Records of Bexar County, Texas;

THENCE: Departing the north right-of-way line of said la Cantera, along and with the west line of said 1.1998 acre tract, the east line of said Lot 5, the following calls and distances:

Along the arc of a curve to the left, having a radial bearing of N 26°13'38" W, a distance of a radius of 25.00 feet, a central angle of 86°30'38", a chord bearing and distance of N 20°31'03" E, 34.26 feet, for an arc distance of 37.75 feet to a found ½" iron rod;

N 22°44'16"W, a distance of 85.44 feet to a found ½" iron rod with yellow cap marked "Pape Dawson";

Along the arc of a curve to the right, having a radius of 743.00 feet, a central angle of 16°49'20", a chord bearing and distance of N 14°19'35" W, 217.37 feet, for an arc distance of 218.15 feet to a found ½" iron rod with yellow cap marked "Pape Dawson";

N 05°56'35"W, a distance of 70.93 feet to a found ½" iron rod with yellow cap marked "Pape Dawson", the northwest corner of said 1.1998 acre tract, the northeast corner of said Lot 5, on the south line of said 44.98 acre tract;

THENCE: S 89°04'41"W, along and with the south line of said 44.98 acre tract, for a distance of 441.91 feet to a found ½" iron rod with yellow cap marked "Pape Dawson", the south west corner of said 44.98 acre tract, the southeast corner of Lot 52, Block 10, Legend Hills Subdivision, Unit 4 recorded in Volume 9517, Page 203 of the Deed and Plat Records of Bexar County, Texas;

THENCE: N 09°02'46"W, along and with the east line of said Lot 52, a distance of 330.07 feet to a found ½" iron rod with yellow cap marked "Pape Dawson", the northwest corner of Lot 53, Block 10 of said Legend Hills Subdivision, the southeast corner of Lot 21, Block 2, Legend Hills, Unit-5 recorded in Volume 9565, Pages 21-22 of the Deed and Plat Records of Bexar County, Texas;

THENCE: Along and with the west line of said 44.98 acre tract, the rear line of said Block 2, the following calls and distances:

N 08°55'21"W, a distance of 210.00 feet to a set ½" iron rod with yellow cap marked "Pape Dawson" at an angle;

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N 05°04'39"E, at a distance of 182.44 feet passing a found ½ inch iron rod with yellow cap marked "Pape-Dawson" at the southeast corner of Lot 17 of said Legend Hills Unit-5, continuing for a total distance of 210.00 feet to a found ½" iron rod with yellow cap marked "Pape Dawson" at an angle;

N 21°34'39"E, a distance of 265.00 feet to a set ½" iron rod with yellow cap marked "Pape Dawson" at an angle;

N 01°34'39"E, a distance of 200.00 feet to a set ½" iron rod with yellow cap marked "Pape Dawson" at an angle;

N 07°25'21"W, a distance of 235.00 feet to a found ½" iron rod with yellow cap marked "Pape Dawson" at an angle;

N 12°34'39"E, at a distance of 91.22 feet passing a found ½ inch iron rod with yellow cap marked "Pape-Dawson", at the southeast corner of Lot 7 of said Legend Hills Unit-5, continuing a distance of 37.88 feet to a found ½ inch iron rod with yellow cap marked "Pape-Dawson" at the northeast corner of said Lot 7, continuing 35.90 feet for a total distance of 165.00 feet to a set ½" iron rod with yellow cap marked "Pape Dawson" at an angle;

N 52°34'39"E, at a distance of 29.59 feet passing a found ½ inch iron rod with yellow cap marked "Pape-Dawson" at the northeast corner of Lot 6 of said Legend Hills Unit-5, and continuing 310.41 feet for a total distance of 340.00 feet to a found ½" iron rod with yellow cap marked "Pape Dawson" at an angle;

N 61°34'39"E, a distance of 175.29 feet to a set ½" iron rod with yellow cap marked "Pape Dawson", a point of the south line of a 8.00 acre tract recorded in Volume 11768, Pages 2270-2277 of the Official Public Records of Real Property of Bexar County, Texas;

THENCE: Along and with the south line of said 8.00 acre tract the following calls and distances:

S 58°24'22"E, a distance of 180.05 feet to a set ½" iron rod with yellow cap marked "Pape Dawson";

S 86°24'22"E, a distance of 487.50 feet to a set ½" iron rod with yellow cap marked "Pape Dawson" on the west line of a 119.204 acre tract recorded in Volume 10667, Pages 1851-1856 of the Official Public Records of Real Property of Bexar County, Texas, the northeast corner of said 44.98 acre tract;

THENCE: Along and with the west line of said 119.204 acre tract, the east line of said 44.98 acre tract the following calls and distances:

S 00°35'27"W, a distance of 224.57 feet to a found 1" iron pipe;

S 00°10'35"W, a distance of 377.58 feet to a found ½" iron rod;

S 00°06'40"E, a distance of 195.30 feet to a found ½" iron rod with yellow cap marked "Pape Dawson";

S 00°20'41"E, a distance of 199.43 feet to a found ½" iron rod, the southwest corner of said 199.204 acre tract;

THENCE: S 00°19'26"E, with the east line of said 44.98 acres, a west line of a 618.58 acre tract recorded in Volume 4735, Pages 911-918 of the Official Public Records of Real Property of Bexar County, Texas, a distance of 225.58 feet to a found ½" iron rod with yellow cap marked "Pape Dawson";

S 01°06'05"E, with the east line of said 44.98 acres, a west line of said 618.58 acre tract, a distance of 507.12 feet to the POINT OF BEGINNING and containing 46.175 acres in the City of San Antonio, Bexar County, Texas. Said tract being described in accordance with a survey made on the ground and a survey map prepared by Pape-Dawson Engineers, Inc.

PREPARED BY: PAPE DAWSON CONSULTING ENGINEERS:

DATE: February 13, 2006

JOB No.: 9041-06

FILE: N:\Survey06\6-9100\9049-06\9049-06-A.doc